

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

# SENATE BILL 1323

## AN ACT

AMENDING SECTIONS 15-1824, 15-1851, 15-1854 AND 15-1877, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 14, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-1855; PROVIDING FOR THE DELAYED REPEAL OF SECTION 15-1855, ARIZONA REVISED STATUTES; MAKING APPROPRIATIONS; RELATING TO POSTSECONDARY EDUCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 15-1824, Arizona Revised Statutes, is amended to  
3 read:

4 15-1824. Transfer articulation; annual report

5 A. The community college districts, ~~and~~ universities UNDER THE  
6 JURISDICTION OF THE ARIZONA BOARD OF REGENTS, THE COMMISSION FOR  
7 POSTSECONDARY EDUCATION AND PRIVATE POSTSECONDARY EDUCATION INSTITUTIONS IN  
8 THIS STATE shall cooperate in operating a statewide articulation and transfer  
9 system, including the process for transfer of lower division general  
10 education credits, general elective credits and curriculum requirements for  
11 approved majors, to facilitate the transfer of community college students to  
12 Arizona public universities AND PRIVATE POSTSECONDARY EDUCATION INSTITUTIONS  
13 without a loss of credit toward a baccalaureate degree and to ensure that the  
14 postsecondary education needs of students statewide are met without  
15 unnecessary duplication of programs.

16 B. The Arizona board of regents, ~~and~~ the community college districts,  
17 THE COMMISSION FOR POSTSECONDARY EDUCATION AND THE PRIVATE POSTSECONDARY  
18 EDUCATION INSTITUTIONS IN THIS STATE shall submit an annual report of their  
19 progress on both articulation and meeting statewide postsecondary education  
20 needs to the joint legislative budget committee on or before December 15 and  
21 shall provide a copy of this report to the secretary of state and the  
22 director of the Arizona state library, archives and public records.

23 Sec. 2. Section 15-1851, Arizona Revised Statutes, is amended to read:

24 15-1851. Commission for postsecondary education; purpose;  
25 report; members; terms; powers and duties;  
26 compensation; quorum; personal liability; definition

27 A. The commission for postsecondary education is established as the  
28 postsecondary review entity for this state for the conduct, supervision and  
29 coordination of the review of postsecondary education institutions in order  
30 to determine the eligibility of those institutions for student financial aid  
31 monies pursuant to ~~the provisions of~~ part H, subpart one of the higher  
32 education amendments of 1992 (P.L. 102-325; 106 Stat. 638; 20 United States  
33 Code section 1099a). The commission shall accomplish the purpose of this  
34 subsection through the accumulation of information, the performance of  
35 studies and the determination of compliance by the postsecondary education  
36 institutions with ~~the provisions of~~ part H, subpart one of the higher  
37 education amendments of 1992. The review authority of the commission shall  
38 be limited to circumstances where the United States department of education  
39 has referred an institution to the commission for review or where the United  
40 States department of education has approved the review of an institution in  
41 accordance with criteria established by the United States department of  
42 education. The commission shall keep records of its activities, and the  
43 commission shall provide information when requested to the United States  
44 secretary of education for financial and compliance audits and for  
45 institution evaluation. The scope of authority of the commission acting as a

1 postsecondary review entity to review any educational institution is limited  
2 specifically to compliance by the institution with title IV, part H, subpart  
3 one of the higher education amendments of 1992. Any review of any  
4 institution conducted by the commission shall be performed in the context of  
5 the institution's individual mission and purposes. The commission shall not  
6 exercise planning, policy, coordinating, supervisory, budgeting or  
7 administrative powers over any postsecondary institution in this state.

8 B. The commission shall also administer the applicable programs  
9 identified under section 1203 of the higher education act amendments of 1998  
10 (P.L. 105-244), including the leveraging educational assistance partnership  
11 program, the federal family education loan program and the Paul Douglas  
12 teacher scholarships program, and shall supervise the state guarantee agency  
13 under the higher education act amendments of 1998.

14 C. In addition to the responsibilities prescribed in subsections A and  
15 B of this section, the commission shall:

16 1. Provide a forum to public and private postsecondary education  
17 institutions for discussion of issues of mutual interest, including the  
18 following:

19 (a) The postsecondary needs of unserved and underserved individuals in  
20 this state.

21 (b) The resources of public and private institutions, organizations  
22 and agencies that are located in this state and that are capable of providing  
23 postsecondary education opportunities.

24 (c) Enrollment demand and public policy options to meet statewide  
25 needs for postsecondary education services.

26 (d) Cooperative comprehensive instructional and capital planning.

27 2. Provide reports pursuant to this subsection on discussions of  
28 issues of mutual interest.

29 3. Coordinate and promote collaborative studies on issues of mutual  
30 interest to public and private postsecondary education institutions.

31 4. Compile and disseminate information to the public regarding  
32 postsecondary education opportunities in this state.

33 5. Prepare an annual report that summarizes the results of the  
34 commission's activities prescribed in this section and section 15-1852. The  
35 annual report shall be submitted to the speaker of the house of  
36 representatives, the president of the senate, the governor and the Arizona  
37 state library, archives and public records by December 28.

38 6. DEVELOP, IMPLEMENT AND ADMINISTER A FIVE YEAR UNIVERSITY CENTERS  
39 PILOT PROGRAM. THE COMMISSION SHALL ESTABLISH ONE UNIVERSITY CENTER IN A  
40 COUNTY WITH A POPULATION OF MORE THAN EIGHT HUNDRED THOUSAND PERSONS AND ONE  
41 UNIVERSITY CENTER IN A COUNTY WITH A POPULATION OF EIGHT HUNDRED THOUSAND  
42 PERSONS OR LESS. THE COMMISSION SHALL SELECT THE UNIVERSITY CENTER SITES  
43 BASED ON PROPOSALS SUBMITTED BY A COMMUNITY COLLEGE, A COMMUNITY COLLEGE  
44 DISTRICT, A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF  
45 REGENTS, A PRIVATE POSTSECONDARY EDUCATION INSTITUTION IN THIS STATE OR A

1 PARTNERSHIP COMPRISED OF ANY COMBINATION OF THESE ENTITIES. PROPOSALS  
2 SUBMITTED PURSUANT TO THIS PARAGRAPH SHALL INCLUDE EACH OF THE FOLLOWING  
3 COMPONENTS:

4 (a) EVIDENCE THAT ACCESS TO BACCALAUREATE DEGREE PROGRAMS IS LIMITED  
5 IN THAT GEOGRAPHIC AREA.

6 (b) A DESCRIPTION OF THE PROPOSED BACCALAUREATE DEGREE PROGRAMS TO BE  
7 OFFERED IN ADDITION TO BACCALAUREATE DEGREES OFFERED BY NORTHERN ARIZONA  
8 UNIVERSITY.

9 (c) EVIDENCE OF SUFFICIENT STUDENT DEMAND FOR THE PROPOSED  
10 BACCALAUREATE DEGREE PROGRAMS.

11 (d) EVIDENCE OF COMMUNITY SUPPORT FOR THE PROPOSED UNIVERSITY CENTER  
12 AND THE PROPOSED BACCALAUREATE DEGREE PROGRAMS.

13 (e) EVIDENCE OF THE LONG-TERM COMMITMENT OF THE INITIAL PROPONENTS OF  
14 THE UNIVERSITY CENTER.

15 (f) A DESCRIPTION OF THE DELIVERY METHODS TO BE USED TO MAXIMIZE  
16 STUDENT ACCESS TO COURSES AND PROGRAMS.

17 (g) A DESCRIPTION OF THE FACILITIES, EQUIPMENT AND OTHER RESOURCES  
18 NECESSARY FOR THE UNIVERSITY CENTER. THE COMMISSION SHALL GIVE PRIORITY TO  
19 PROPOSALS THAT MAXIMIZE THE USE OF EXISTING INFRASTRUCTURE.

20 (h) A DESCRIPTION OF THE PROPOSED EVALUATION SYSTEM TO ASSESS COSTS,  
21 ENROLLMENT AND PERFORMANCE OF BACCALAUREATE STUDENTS, INCLUDING RETENTION  
22 RATES, GRADUATION RATES AND TRANSFER RATES.

23 (i) A DESCRIPTION OF THE PROPOSED ACADEMIC AND FINANCIAL AID SERVICES.

24 (j) EVIDENCE OF COLLABORATION WITH PUBLIC AND PRIVATE PROVIDERS OF  
25 BACCALAUREATE DEGREES.

26 7. DEVELOP, IN CONSULTATION WITH ALL SECTORS OF THE PUBLIC AND PRIVATE  
27 POSTSECONDARY EDUCATION SYSTEM, A DUAL ENROLLMENT MODEL AND A JOINT  
28 ADMISSIONS MODEL TO BE USED BY POSTSECONDARY EDUCATION INSTITUTIONS TO  
29 IMPROVE TRANSFER AND GRADUATION RATES AT THE UNIVERSITIES UNDER THE  
30 JURISDICTION OF THE ARIZONA BOARD OF REGENTS.

31 8. ANNUALLY PUBLISH AN ARIZONA COLLEGE AND CAREER GUIDE THAT DESCRIBES  
32 IMPORTANT EDUCATION AND CAREER RESOURCES AND THAT IS TO BE DISTRIBUTED TO ALL  
33 PUBLIC AND PRIVATE HIGH SCHOOL STUDENTS IN THIS STATE.

34 D. The commission consists of the executive director of the Arizona  
35 board of regents, the executive director of the state board for private  
36 postsecondary education and the following additional members who shall be  
37 appointed by the governor pursuant to section 38-211:

38 1. Two members who hold senior executive or managerial positions in a  
39 university under the jurisdiction of the Arizona board of regents.

40 2. Two members who hold senior executive or managerial positions in a  
41 community college district, one representing a community college district in  
42 a county with a population of five hundred thousand persons or more and one  
43 representing a community college district in a county with a population of  
44 less than five hundred thousand persons.

1           3. Two members who hold senior executive or managerial positions in  
2 private postsecondary institutions of higher education that are licensed  
3 under title 32, chapter 30, that are located in this state, that offer  
4 bachelor or higher degrees and that are accredited by a regional  
5 accreditation agency approved by the United States department of education.

6           4. Two members who hold senior executive or managerial positions in  
7 private postsecondary institutions of higher education that are licensed  
8 under title 32, chapter 30, that are located in this state, that offer  
9 vocational education programs and that are accredited by a national  
10 accreditation agency approved by the United States department of education.

11           5. One member who holds a senior executive or managerial position in a  
12 private cosmetology school that is licensed under title 32, chapter 5, that  
13 is located in this state, that offers cosmetology programs approved by the  
14 board of cosmetology and that is accredited by a national accreditation  
15 agency approved by the United States department of education.

16           6. One member who holds a senior executive or managerial position in  
17 an institution that is licensed under title 32, chapter 23 or under the  
18 provisions of 14 Code of Federal Regulations part 147, that offers vocational  
19 education programs at the postsecondary level, that is located in this state  
20 and that is not an institution that is qualified under any other category.

21           7. One member who has held a senior executive or managerial level  
22 position in commerce or industry in this state for at least three years  
23 before the member's appointment and who is not qualified to serve under any  
24 other category.

25           8. Two members who hold senior executive or managerial positions in  
26 the high school education system in this state.

27           9. One member who is an owner, operator or administrator of a charter  
28 school in this state.

29           E. Members of the commission appointed pursuant to subsection D,  
30 paragraphs 1 through 9 of this section shall serve four year  
31 terms. Appointed members of the commission shall be residents of this state.  
32 Appointed members of the commission at all times during their terms shall  
33 continue to be eligible for appointment under the category that they were  
34 appointed to represent. Terms of appointed members of the commission begin  
35 on the third Monday in January. No appointed member of the commission may  
36 serve more than two consecutive terms.

37           F. The executive director of the Arizona board of regents and the  
38 executive director of the state board for private postsecondary education  
39 serve as members of the commission during their respective terms of office  
40 and are not eligible to vote with respect to the commission's review of any  
41 postsecondary institution.

42           G. Members appointed pursuant to subsection D, paragraphs 1 through 9  
43 of this section are eligible to receive compensation pursuant to section  
44 38-611 for each day spent in the performance of commission duties and may be

1 reimbursed for expenses properly incurred in connection with the attendance  
2 at meetings or hearings of the commission.

3 H. The governor shall appoint a chairman from among the members of the  
4 commission who shall serve a one year term that begins on the third Monday in  
5 January.

6 I. Except as provided in subsection J of this section, a majority of  
7 the members of the commission constitutes a quorum for the transaction of  
8 commission business. The vote of a majority of the quorum constitutes  
9 authority for the commission to act.

10 J. For all purposes relating to title IV, part H, subpart one of the  
11 higher education amendments of 1992, the commission membership shall consist  
12 only of the members appointed pursuant to subsection D, paragraphs 1 through  
13 7 of this section, and all commission actions taken pursuant to title IV,  
14 part H, subpart one of the higher education act of 1992 require the  
15 affirmative vote of at least six members.

16 K. Members of the commission are immune from personal liability with  
17 respect to all actions that are taken in good faith and within the scope of  
18 the commission's authority.

19 L. For the purposes of this section, "community college district"  
20 means a community college district that is established pursuant to sections  
21 15-1402 and 15-1403 and that is a political subdivision of this state.

22 Sec. 3. Section 15-1854, Arizona Revised Statutes, is amended to read:

23 15-1854. Postsecondary education student financial assistance  
24 program; postsecondary education student financial  
25 assistance fund; definition

26 A. A ~~private~~ postsecondary education student financial assistance  
27 program is established. The commission shall develop, implement and  
28 administer the program. A student who obtains an associate degree from a  
29 community college district or from a community college under the jurisdiction  
30 of an Indian tribe in this state that meets the same accreditation standards  
31 as a community college district **OR HAS OBTAINED AT LEAST SIXTY CREDIT HOURS**  
32 **OF TRANSFERABLE LOWER DIVISION COURSEWORK AT A COMMUNITY COLLEGE IN THIS**  
33 **STATE** and who registers for enrollment as a full-time student in a  
34 baccalaureate program at a private, nationally or regionally accredited four  
35 year degree granting college or university chartered in this state **OR AT A**  
36 **PUBLIC UNIVERSITY IN THIS STATE** is eligible to submit an application to the  
37 commission for participation in the program. The commission shall establish  
38 eligibility criteria for the program including financial need and academic  
39 merit, shall develop application forms, procedures and deadlines and shall  
40 select qualifying students each year for participation in the  
41 program. Participating students shall receive an award in an amount of up to  
42 one thousand five hundred dollars annually for not to exceed two years and  
43 three thousand dollars to be used to pay all or a portion of the tuition and  
44 fees charged at the private, accredited four year college or university **OR AT**  
45 **THE PUBLIC UNIVERSITY.**

1 B. A ~~private~~ postsecondary education student financial assistance fund  
2 is established consisting of legislative appropriations. The commission  
3 shall administer the fund. Monies in the fund are exempt from the provisions  
4 of section 35-190, relating to lapsing of appropriations. The commission  
5 shall make awards for payment of tuition at eligible colleges or universities  
6 to students who are selected to participate in the ~~private~~ postsecondary  
7 education student financial assistance program pursuant to subsection A OF  
8 THIS SECTION.

9 ~~C. The commission shall develop a program evaluation procedure in~~  
10 ~~order to determine the effectiveness of the private postsecondary education~~  
11 ~~student financial assistance program in shifting students who would have~~  
12 ~~otherwise attended a public four year college or university to private four~~  
13 ~~year degree granting colleges or universities.~~

14 ~~D.~~ C. A student who fails to receive a baccalaureate degree within a  
15 three year period of receipt of the program award shall reimburse the ~~private~~  
16 postsecondary education student financial assistance fund for all awards  
17 received pursuant to subsection A OF THIS SECTION.

18 ~~E.~~ D. For the purposes of this section, "community college district"  
19 means a community college district THAT IS established pursuant to sections  
20 15-1402 and 15-1403 AND that is a political subdivision of this state.

21 Sec. 4. Title 15, chapter 14, article 5, Arizona Revised Statutes, is  
22 amended by adding section 15-1855, to read:

23 15-1855. University access grant pilot program; university  
24 access grant program fund; definition

25 A. THE COMMISSION ON POSTSECONDARY EDUCATION SHALL DEVELOP, IMPLEMENT  
26 AND ADMINISTER A FIVE YEAR UNIVERSITY ACCESS GRANT PILOT PROGRAM. THE  
27 COMMISSION SHALL DEVELOP APPLICATION FORMS, PROCEDURES AND DEADLINES AND  
28 SHALL SELECT QUALIFYING STUDENTS EACH YEAR FOR PARTICIPATION IN THE  
29 UNIVERSITY ACCESS GRANT PILOT PROGRAM. PARTICIPATING FULL-TIME STUDENTS  
30 SHALL RECEIVE A GRANT IN AN AMOUNT OF UP TO TWO THOUSAND FIVE HUNDRED DOLLARS  
31 ANNUALLY TO BE USED TO PAY ALL OR A PORTION OF THE TUITION, BOOKS AND FEES  
32 CHARGED FOR UPPER DIVISION COURSES AT THE PUBLIC OR PRIVATE POSTSECONDARY  
33 INSTITUTION FOR A MAXIMUM OF SIX CONSECUTIVE SEMESTERS. PARTICIPATING  
34 HALF-TIME STUDENTS SHALL RECEIVE A GRANT IN AN AMOUNT OF UP TO ONE THOUSAND  
35 TWO HUNDRED FIFTY DOLLARS ANNUALLY TO BE USED TO PAY ALL OR A PORTION OF THE  
36 TUITION, BOOKS AND FEES CHARGED FOR UPPER DIVISION COURSES AT THE PUBLIC OR  
37 PRIVATE POSTSECONDARY INSTITUTION FOR A MAXIMUM OF TWELVE CONSECUTIVE  
38 SEMESTERS. A STUDENT WHO IS AWARDED A GRANT PURSUANT TO THIS SECTION MAY USE  
39 A PORTION OF THE GRANT TO LEASE COMPUTER EQUIPMENT AND OBTAIN INTERNET ACCESS  
40 IF THE STUDENT DOES NOT CURRENTLY HAVE ACCESS TO A COMPUTER.

41 B. STUDENTS WHO MEET EACH OF THE FOLLOWING CRITERIA ARE ELIGIBLE TO  
42 SUBMIT AN APPLICATION FOR CONSIDERATION BY THE COMMISSION FOR A GRANT UNDER  
43 THE UNIVERSITY ACCESS GRANT PILOT PROGRAM:

44 1. THE STUDENT HAS OBTAINED AN ASSOCIATE DEGREE FROM A COMMUNITY  
45 COLLEGE DISTRICT OR FROM A COMMUNITY COLLEGE UNDER THE JURISDICTION OF AN

1 INDIAN TRIBE IN THIS STATE THAT MEETS THE SAME ACCREDITATION STANDARDS AS A  
2 COMMUNITY COLLEGE DISTRICT OR HAS OBTAINED AT LEAST SIXTY CREDIT HOURS OF  
3 TRANSFERABLE LOWER DIVISION COURSEWORK.

4 2. THE STUDENT REGISTERS FOR ENROLLMENT AS A STUDENT IN A  
5 BACCALAUREATE PROGRAM AT AN ACCREDITED PUBLIC OR PRIVATE POSTSECONDARY  
6 INSTITUTION IN THIS STATE THAT AWARDS FOUR YEAR DEGREES.

7 3. THE STUDENT DEMONSTRATES TO THE SATISFACTION OF THE COMMISSION  
8 EITHER OF THE FOLLOWING:

9 (a) THAT THE STUDENT IS UNABLE TO PARTICIPATE IN BACCALAUREATE COURSE  
10 OFFERINGS AT A PUBLIC POSTSECONDARY INSTITUTION BECAUSE THE STUDENT RESIDES  
11 MORE THAN TEN MILES FROM THE NEAREST CAMPUS OF A PUBLIC POSTSECONDARY  
12 INSTITUTION THAT OFFERS BACCALAUREATE DEGREES.

13 (b) WORK OBLIGATIONS, FAMILY OBLIGATIONS OR OTHER PERSONAL OBLIGATIONS  
14 OR PERSONAL SITUATIONS PREVENT THE STUDENT FROM PARTICIPATING IN  
15 BACCALAUREATE COURSE OFFERINGS.

16 4. THE STUDENT HAS NOT OBTAINED A BACCALAUREATE OR PROFESSIONAL  
17 DEGREE.

18 5. THE STUDENT IS A RESIDENT OF THIS STATE.

19 6. THE STUDENT DEMONSTRATES FINANCIAL NEED FOR THE GRANT TO THE  
20 SATISFACTION OF THE COMMISSION.

21 C. IN ADDITION TO THE ELIGIBILITY CRITERIA PRESCRIBED IN SUBSECTION B  
22 OF THIS SECTION, THE COMMISSION SHALL CONSIDER OTHER POTENTIAL SOURCES OF  
23 FINANCIAL AID FOR EACH APPLICANT TO ENSURE THAT THE GRANTS ARE AWARDED TO  
24 STUDENTS WHO DEMONSTRATE THE GREATEST FINANCIAL NEED.

25 D. THE COMMISSION SHALL GIVE PRIORITY TO GRANT APPLICANTS WHO ARE  
26 PURSUING A DEGREE IN EMPLOYMENT AREAS THAT ARE UNDERSERVED IN THE APPLICANT'S  
27 COMMUNITY.

28 E. THE UNIVERSITY ACCESS GRANT FUND IS ESTABLISHED CONSISTING OF  
29 LEGISLATIVE APPROPRIATIONS. THE COMMISSION SHALL ADMINISTER THE FUND.  
30 MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE  
31 PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS. THE  
32 COMMISSION SHALL MAKE AWARDS FOR PAYMENT OF TUITION AT ELIGIBLE COLLEGES OR  
33 UNIVERSITIES TO STUDENTS WHO ARE SELECTED TO PARTICIPATE IN THE UNIVERSITY  
34 ACCESS GRANT PILOT PROGRAM PURSUANT TO SUBSECTION A OF THIS SECTION.

35 F. THE COMMISSION SHALL DEVELOP A PROGRAM EVALUATION PROCEDURE IN  
36 ORDER TO DETERMINE THE EFFECTIVENESS OF THE UNIVERSITY ACCESS GRANT PILOT  
37 PROGRAM AND TO DETERMINE THE EXTENT AND DISTRIBUTION OF STUDENTS ELIGIBLE FOR  
38 PARTICIPATION IN THE UNIVERSITY ACCESS PILOT GRANT PROGRAM.

39 G. A STUDENT WHO FAILS TO RECEIVE A BACCALAUREATE DEGREE WITHIN A FOUR  
40 YEAR PERIOD OF RECEIPT OF THE PROGRAM AWARD SHALL REIMBURSE THE UNIVERSITY  
41 ACCESS GRANT FUND FOR ALL GRANTS RECEIVED PURSUANT TO SUBSECTION A OF THIS  
42 SECTION.

43 H. FOR THE PURPOSES OF THIS SECTION, "COMMUNITY COLLEGE DISTRICT"  
44 MEANS A COMMUNITY COLLEGE DISTRICT THAT IS ESTABLISHED PURSUANT TO SECTIONS  
45 15-1402 AND 15-1403 AND THAT IS A POLITICAL SUBDIVISION OF THIS STATE.



1           Sec. 5. Delayed repeal

2           Section 15-1855, Arizona Revised Statutes, as added by this act, is  
3 repealed from and after June 30, 2011.

4           Sec. 6. Section 15-1877, Arizona Revised Statutes, is amended to read:  
5           15-1877. Scholarships and financial aid provisions

6           A. Any student loan program, student grant program or other financial  
7 assistance program established or administered by this state shall treat the  
8 balance in an account of which the student is a designated beneficiary as  
9 neither an asset of the parent of the designated beneficiary nor as a  
10 scholarship, a grant or an asset of the student for determining a student's  
11 or parent's income, assets or financial need.

12           B. Subsection A applies to any state appropriated financial assistance  
13 program administered by a college or university in this state including the  
14 financial aid trust fund, established by section 15-1642, the leveraging  
15 educational assistance program established by section 1203 of the higher  
16 education act amendments of 1998 (P.L. 105-244; 112 Stat. 1581; 20 United  
17 States Code section 1001) and the ~~private~~ postsecondary education student  
18 financial assistance program established by section 15-1854.

19           C. Subsections A and B do not apply if any of the following conditions  
20 exist:

21           1. Federal law requires all or a portion of the amount in an account  
22 to be taken into consideration in a different manner.

23           2. Federal benefits could be lost if all or a portion of the amount in  
24 an account is not taken into consideration in a different manner.

25           3. A specific grant establishing a financial assistance program  
26 requires that all or a portion of the amount in an account be taken into  
27 consideration.

28           Sec. 7. Appropriation; postsecondary education student  
29           financial assistance fund; exemption

30           A. The sum of \$8,000,000 is appropriated from the state general fund  
31 in fiscal year 2006-2007 to the commission for postsecondary education for  
32 deposit in the postsecondary education student financial assistance fund  
33 established by section 15-1854, Arizona Revised Statutes, as amended by this  
34 act.

35           B. Of the monies appropriated pursuant to subsection A of this  
36 section, no more than \$5,000,000 shall be used for students who attend public  
37 postsecondary institutions and no more than \$3,000,000 shall be used for  
38 students who attend private postsecondary institutions.

39           C. Of the monies appropriated pursuant to subsection A of this  
40 section, no more than \$800,000 shall be used by the commission for  
41 postsecondary education for administrative costs.

42           D. The appropriation made in subsection A of this section is exempt  
43 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
44 lapsing of appropriations.

1       Sec. 8. Appropriation; university access grant program fund;  
2               exemption

3       A. The sum of \$2,000,000 is appropriated from the state general fund  
4 in fiscal year 2006-2007 to the commission for postsecondary education for  
5 deposit in the university access grant program fund established by section  
6 15-1855, Arizona Revised Statutes, as added by this act.

7       B. Of the monies appropriated pursuant to subsection A of this  
8 section, no more than \$200,000 shall be used by the commission for  
9 postsecondary education for administrative costs.

10      C. The appropriation made in subsection A of this section is exempt  
11 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
12 lapsing of appropriations.

13      Sec. 9. Appropriation; university centers pilot program;  
14               exemption

15      A. The sum of \$5,000,000 is appropriated from the state general fund  
16 in fiscal year 2006-2007 to the commission for postsecondary education for  
17 the costs to implement and maintain the university centers pilot program  
18 established by section 15-1851, subsection C, paragraph 6, Arizona Revised  
19 Statutes, as amended by this act.

20      B. Of the monies appropriated pursuant to subsection A of this  
21 section, no more than \$500,000 shall be used by the commission for  
22 postsecondary education for administrative costs.

23      C. The appropriation made in subsection A of this section is exempt  
24 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
25 lapsing of appropriations.

26      Sec. 10. Appropriation; dual enrollment and joint admission  
27               models; exemption

28      A. The sum of \$50,000 is appropriated from the state general fund in  
29 fiscal year 2006-2007 to the commission for postsecondary education for the  
30 costs to develop the dual enrollment and joint admission models prescribed by  
31 section 15-1851, subsection C, paragraph 7, Arizona Revised Statutes, as  
32 amended by this act. The commission for postsecondary education may use the  
33 monies appropriated pursuant to this subsection to contract with a third  
34 party to develop the models.

35      B. Of the monies appropriated pursuant to subsection A of this  
36 section, no more than \$5,000 shall be used by the commission for  
37 postsecondary education for administrative costs.

38      C. The appropriation made in subsection A of this section is exempt  
39 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
40 lapsing of appropriations.

41      Sec. 11. Appropriation; Arizona college and career guide;  
42               exemption

43      A. The sum of \$50,000 is appropriated from the state general fund in  
44 fiscal year 2006-2007 to the commission for postsecondary education for the  
45 costs to develop and distribute the Arizona college and career guide

1 prescribed by section 15-1851, subsection C, paragraph 8, Arizona Revised  
2 Statutes, as amended by this act. The commission for postsecondary education  
3 may use the monies appropriated pursuant to this subsection to contract with  
4 a third party to develop the models.

5 B. Of the monies appropriated pursuant to subsection A of this  
6 section, no more than \$5,000 shall be used by the commission for  
7 postsecondary education for administrative costs.

8 C. The appropriation made in subsection A of this section is exempt  
9 from the provisions of section 35-190, Arizona Revised Statutes, relating to  
10 lapsing of appropriations.